



Town Of Durham

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EXPANSION OF NONCONFORMING USES & STRUCTURES MINOR POLICY CHANGE

Summary

The regulations dealing with nonconforming structure expansions will be overhauled to make them more in line with the pattern of development and the issues faced in Durham. The proposed changes will simplify the process for property owners and eliminate confusion in the current regulations.

Current vs. Proposed Expansion of Nonconforming Uses & Structures

Aspect	Current	Proposed
Expansion of Residential "Uses"	30% limit with conditional use review by Planning Board, unlimited expansion with Board of Appeals review of groundwater impacts.	Confusing language to be removed.
Expansion of Residential Structures	Expansion allowed with Planning Board approval of foundation location.	Expansion allowed with Code Officer review of no increase in nonconformity.
Time limit extension on discontinued nonconforming use.	Planning Board review of circumstances.	Board of Appeals review of circumstances.

Why the Change?

The current regulations governing expansions of such uses and structures were copied from more densely developed communities with separate residential and commercial zoning districts where nonconformity is much more prevalent and contain provisions that are not relevant to Durham. The proposed changes will tailor the regulations to Durham's more rural setting, land use patterns, and administrative framework.

We want to hear from you!

Do you support the proposed changes to the rules for expanding nonconforming structures? Do you have concerns about them? Please share your thoughts with the Planning Board during the public participation process. You can submit written comments to the Town Planner for circulation to the Board by emailing townplanner@durhammaine.gov.